

**LAPEER COUNTY, MICHIGAN LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
BY-LAWS OF THE LEPC**

Section 1 Authority

1.01 Authority.

Section 2 Name and Jurisdiction

2.01 Name.

2.02 Jurisdiction.

Section 3 Purpose

3.01 Purpose.

Section 4 Membership and Meetings

4.01 Membership.

4.02 Monthly Meetings.

4.03 Special Meetings.

4.04 Notice of Meetings.

4.05 Quorum.

4.06 Voting.

4.07 Termination of Membership.

4.08 Vacancies.

Section 5 Subcommittees

5.01 (Subcommittee to be named). Function.

5.02 (Subcommittee to be named). Function..

5.03 (Subcommittee to be named). Function.

5.04 Composition.

5.05 Meetings.

5.06 Quorum.

5.07 Rules.

Section 6 Officers

6.01 Principal Officers.

6.02 Chairperson.

6.03 Vice Chairperson.

6.04 Secretary.

6.05 Coordinator of Information.

6.06 Local Emergency Coordinator.

6.07 Vacancies.

Section 7 Procedural Rules

7.01 Procedural Rules.

7.02 Public Comment.

Section 8 Amendments

8.01 Amendments.

Section 1 Authority

1.01 Authority.

These By-Laws have been adopted pursuant to authority provided under the Act of Congress known as the Superfund Amendments and Act of 1986, Title III, "Emergency Planning and Community Right to Know".

Section 2

2.01 Name.

This Committee shall be known as the Lapeer County Local Emergency Planning Committee (LEPC).

2.02 Jurisdiction.

The jurisdiction assigned to the LEPC by the State Emergency Planning and Community Right to Know Commission (the State Commission), includes all of Lapeer County, Michigan.

Section 3 Purpose

3.01 Purpose.

The purpose of the LEPC shall be to

- (1) investigate the potential for hazardous chemical accidents in the community;
- (2) review, improve and implement plans to deal with such occurrences;
- (3) integrate such plans into the main County Emergency Operations Plan (EOP); and
- (4) disseminate information obtained under Title III to the general public.

Section 4 Membership and Meetings

4.01 Membership.

Members of the LEPC shall be appointed by the State Commission as recommended by the County Board of Commissioners. Members shall be chosen as to represent the various governmental units involved as well as the facilities affected by the Title III legislation.

4.02 Monthly Meetings.

The LEPC shall hold a bi-monthly meeting of its members. These meetings will be held at a time that most members can be present. Meetings shall be held open to the public in accordance with the nature of the Title III legislation, and the Michigan Open Meetings Act.

4.03 Special Meetings.

Special meetings of the LEPC may be called by the Chairperson upon the receipt of written request of at least four (4) of the members of the LEPC.

4.04 Notice of Meetings.

Notice of regular meetings of the LEPC shall be posted in a public place, such as the Lapeer County Complex, (10) days in advance of the convocation of such meeting.

4.05 Quorum.

The presence of one third (33 1/3%) or more of the members of the LEPC shall constitute a quorum for that meeting.

4.06 Voting.

At every meeting of the LEPC, each member present shall be entitled to one, and only one, vote and voting by proxy shall not be permitted. Decisions on any question at a meeting of the LEPC shall be by majority vote of members present.

4.07 Termination of Membership.

With the approval of the State Commission, and after the issuance of notice to the State Commission, membership may be terminated in the LEPC.

The chairperson of the Lapeer County Local Emergency Planning Committee shall report by letter to the Lapeer County Board of Commissioners and the State Emergency Response Commission any member who has two consecutive unexcused absences. The Chairperson shall recommend to the appointing authority that the member be terminated from the Lapeer County LEPC.

4.08 Vacancies.

Any vacancy in the LEPC shall be filled by an appointee of the State Commission, recommended by the Lapeer County Board of Commissioners. Such an appointee shall serve until further action of the State Commission.

Section 5 Subcommittees

5.01 (Subcommittee to be named). Function.

This subcommittee shall be responsible for determining the potential for hazardous materials accidents in the County, identifying the facilities involved in Title III planning, and assisting with the compilation of their submitted data to the public. Pursuant to its work, this subcommittee shall have the authority to call in experts in the field involved to assist it in its work.

5.02 (Subcommittee to be named). Function..

This subcommittee shall be responsible for reviewing the current County EOP in light of the requirements of SARA Title III. After this review, the subcommittee shall work to bring the emergency response plans of the County up to the standards set forth in Title III.

This subcommittee shall have the authority to call in experts in the fields involved to assist with the proper safeguarding of hazardous materials.

5.03 (Subcommittee to be named). Function.

This subcommittee shall be responsible for exploring the possible sources of funding available to the LEPC.

5.04 Composition.

All subcommittees shall be comprised of a subcommittee Chairperson and several other members of the LEPC who are involved in areas relevant to the subcommittee's business.

5.05 Meetings.

Each subcommittee shall hold meetings at such time as determined necessary for the timely completion of their respective agendas. Meetings shall be given to each member at least twenty-four (24) hours prior to the time of the meeting. Notice may in person or by phone. In addition, a representative of any facility under consideration at the meeting must be notified of the meeting at least ten (10) days in advance.

5.06 Quorum.

The presence of three (3) or more subcommittee members present at any properly noticed meeting of a subcommittee shall constitute a quorum for that meeting.

5.07 Rules.

Each subcommittee shall have the power to adopt rules for the conduct of subcommittee business with respect to all matters not provided for in section 7.01.

Section 6 Officers

6.01 Principal Officers.

There shall be the following officers of this LEPC:

- Chairperson
- Vice Chairperson
- Secretary
- Coordinator of Information
- Local Emergency Coordinator

The Chair, Vice Chair, and Secretary shall be elected by the LEPC from the membership thereof. The Chair shall appoint the other officers.

6.02 Chairperson.

The Chair shall preside at all meeting of the LEPC. The LEPC Chair may sign and execute all authorized contracts and other obligations and undertakings in the name of and on behalf of the LEPC and shall be responsible for appointing subcommittee and their chairs as deemed appropriate by the LEPC.

6.03 Vice Chairperson.

At the request of the LEPC Chair or in the event of the absence or disability of the LEPC Chair, the vice Chair shall perform any and all duties of the LEPC Chair. The Vice Chair shall have other powers and perform other duties as the LEPC may from time to time, assign.

6.04 Secretary.

The Secretary of the LEPC shall be responsible for the preparation of minutes for each meeting. She or he will also be responsible for the coordination and distribution of official correspondence.

6.05 Coordinator of Information.

The Coordinator of Information shall be responsible for the processing of all information present on Material Safety Data Sheets (MSDSs) submitted to the LEPC by facilities.

6.06 Local Emergency Coordinator.

The Local Emergency Coordinator shall be concerned with the release or spillage of hazardous materials from facilities located in the County. He or she must be available for contact on a 24-hour basis.

6.07 Vacancies.

In the event of the death or resignation of any principal officers, the LEPC shall fill such vacancy from among its members.

Section 7 Procedural Rules

7.01 Procedural Rules.

In all its proceedings the LEPC and all its subcommittees shall be governed by Roberts Rules of Order and the Michigan Open Meetings Act.

7.02 Public Comment.

Public comment shall be limited to thirty (30) minutes per meeting with no more than five (5) minutes per person at the commencement of each meeting.

Section 8 Amendments

8.01 Amendments.

Amendments of these By-Laws not inconsistent with the legislation of Title III may be adopted at any meeting of the LEPC at which a quorum is present, by a vote of two-thirds (2/3) of the members present at the meeting.

Written notice of such meeting of the LEPC must contain reasonably adequate notice of the terms of the amendments proposed.